

III. REMARKS

Claims 66-130 are pending.

Description of Amendments

Claim 66 has been amended to add the term "and" after the term "alkoxy" for proper grammar; and to remove the term "3-8 membered monocyclic ring system; or an 8-11 membered bicyclic system; optionally saturated or unsaturated; the monocyclic ring system optionally containing 1-2 heteroatoms selected from N, O and S; the bicyclic ring system optionally containing or optionally containing the group such as SO₂ or CO; and" and replace it with the term "cycloalkyl", support for which can be found on page 15, lines 27-31 and Examples 1, 4-12, 14-53 (B=cyclopropyl); Examples 2 and 3 (B=cyclopentyl); Example 13 (B=cyclobutyl), without prejudice to Applicants' right to file divisional applications directed to the subject matter thereof;

Claim 70 has been amended to add the term "and" after the term "R" for proper grammar; and to remove the term "ring" with the term "cycloalkyl", support for which can be found on page 15, lines 27-31 and Examples 2 and 3 (B=cyclopentyl) without prejudice to Applicants' right to file divisional applications directed to the subject matter thereof;

Claim 71 has been amended to add the term "and" after the term "R" for proper grammar; and to remove the term "3-membered ring" and replace it with the term "cyclopropyl", support for which can be found on page 15, lines 27-31 and Examples 1, 4-12, 14-53 (B=cyclopropyl) without prejudice to Applicants' right to file divisional applications directed to the subject matter thereof;

Claim 73 has been amended to add the term "and" after the term "alkoxyalkyl"; " for proper grammar;

Claim 78 has been amended to remove the term "3-membered ring" and replace it with the term "cyclopropyl"; to add the term "and" after "n=1;" for proper grammar, and to correct the term "may from" to the term "form", support for which can be found on page 15, lines 27-31 and Examples 1, 4-12, 14-53 (B=cyclopropyl) without prejudice to Applicants' right to file divisional applications directed to the subject matter thereof;

Claim 108 has been amended to correct the term "comprising" to the term "comprising".

Claim 109 has been amended to add the term " $\alpha_v\beta_3$ mediated-" to the term "tumor metastasis".

Claim 110 has been amended to add the term " $\alpha_v\beta_3$ mediated-" to the term "tumor metastasis".

Claim 111 has been amended to add the term " $\alpha_v\beta_3$ mediated-" to the term "solid tumor growth".

Claim 112 has been amended to add the term " $\alpha_v\beta_3$ mediated-" to the term "solid tumor growth".

Co-Pending Applications

Applicants direct the Office's attention to the following co-pending U.S. applications, without conceding the materiality of the co-pending applications to the present invention:

- US 10/311299 (national phase of the PCT claiming priority from the same provisional application as the present invention)
- US 10/326299 (continuation-in-part application claiming priority from the present application)

Claim Rejections

1. Rejections under 35 U.S.C. § 112

A. Amended claims 66-130 are enabled

On pages 2-3 of the Office Action, the Office rejected Claims 66-130 for failing to reasonably provide enablement for B=heterocyclic ring. To further advance prosecution, Claim 66 has been amended to "B forms a cycloalkyl", without prejudice to Applicants' right to file divisional applications directed to the subject matter thereof. Claims 70, 71 and 78 have also been amended to reflect "B forms a cycloalkyl". Applicants submit that amended Claims 66, 70, 71 and 78 are enabled by the specification.

B. Claims 109-112 are enabled

On pages 3-4 of the Office Action, the Office rejected Claims 109-112 for lack of enablement of treatment of "tumor" generally.

Applicants point out that the claims are not directed to not “tumor” generally. Claims 107 and 108 provide for method for treating conditions mediated by the $\alpha_v\beta_3$ integrin. Claims 109-112 are dependent on claims 107 and 108. Claims 109-112 have been amended to make explicit this dependency. Further, the claims are directed towards the treatment of tumor metastasis (Claims 109-110) and solid tumor growth (Claims 111-112), and not tumors generally. Therefore, the claims are directed towards 1. a method for treating $\alpha_v\beta_3$ mediated-tumor metastasis in a mammal, and 2. a method for treating $\alpha_v\beta_3$ mediated-solid tumor growth in a mammal, respectively. Further, the claims are directed towards a *treatment* of tumor metastasis or solid tumor growth, not a cure for cancer. Also, Applicants submit that solid tumors are generally defined as “cancer of body tissues other than blood, bone marrow, or the lymphatic system” in both the HyperDictionary’s Medical Dictionary (<http://www.hyperdictionary.com/medical/solid+tumor>) and on cancer.gov, (http://cancernet.nci.nih.gov/dictionary/db_alpha.aspx?expand=S) and do not cover more than cancer.

Further, Applicants set out the dose ranges and administration of the compounds of the present invention are given on pages 29-30 of the specification, and the enzyme selectivity assays are given in the Examples. Therefore, one of ordinary skill could practice the invention without an undue burden using the specification in light of what was known in the art.

C. The amended term “B forms a cycloalkyl...” is definite

On pages 5-6 of the Office Action, the Office rejected Claims 66 and claims dependent thereon for indefiniteness of the term “B forms...ring”. To further advance prosecution, Claim 66 has been amended to “B forms a cycloalkyl”, without prejudice to Applicants’ right to file divisional applications directed to the subject matter thereof. Applicants submit that the term “B forms a cycloalkyl” is definite, support for which can be found on page 15, lines 27-31.

It is therefore submitted that Claims 66-130 are in condition for allowance.
If the Office has any further comments or concerns, the Examiner is welcome to
contact Applicants at the number below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rachel A. Polster".

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